IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL NO. 1:07CV268

DONNA C. (STEFANIE) KIRK,)
Plaintiff,))
Vs.) <u>JUDGMENT</u>
MICHAEL J. ASTRUE, Commissioner of Social Security,)))
Defendant.)))

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the Plaintiff's motion for summary judgment is **DENIED**; the Defendant's motion for summary judgment is **ALLOWED**; the Commissioner's decision denying disability benefits to the Plaintiff is **AFFIRMED**; and this matter is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Signed: May 19, 2008

Lacy H. Thornburg United States District Judge